

## REGULATION OF CEMETERIES.

JANUARY 15, 1897.—Referred to the House Calendar and ordered to be printed.

Mr. CURTIS, of Iowa, from the Committee on the District of Columbia, submitted the following

### REPORT.

[To accompany H. R. 9099.]

The Committee on the District of Columbia, to whom was referred the bill (H. R. 9099) for the regulation of cemeteries and the disposal of dead bodies in the District of Columbia, beg leave to report the same to the House with the recommendation that it do pass with the following amendment:

Insert in section 15, line 7, after the word "destruction," the following:

It shall be unlawful for any person or persons to embalm, inject, or by any similar method preserve the dead body, or part of the dead body, of any human being in said District before the issue of the death certificate by the attending physician or the health officer, and in case the death so certified is due to other than natural causes, unless said death certificate is signed or approved by the coroner of said District.

Your committee incorporates in its report the report of the health officer of the District to the Commissioners.

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HEALTH DEPARTMENT, DISTRICT OF COLUMBIA,  
*Washington, December 15, 1896.*

GENTLEMEN: Referring to a bill for the regulation of cemeteries and the disposal of dead bodies in the District of Columbia (H. R. 9099), I have the honor to submit the following report:

The establishment and maintenance of cemeteries in this District is governed by sections 594 to 604, Revised Statutes, District of Columbia, relating to the incorporation of cemetery associations.

The disposal of dead bodies is controlled by regulations of the late board of health to secure a full and correct record of vital statistics, including the registration of marriages, births, and deaths; the interment, disinterment, and removal of the dead in the District of Columbia, issued August 1, 1874, under authority of an act of Congress entitled "An act to further define and enlarge the powers and duties of the board of health of the District of Columbia," approved June 23, 1874.

*Cemeteries.*—Cemeteries in this District are now governed only by certain laws enacted for the purpose of regulating the incorporation of cemetery associations, with which aspect of the case the law now proposed does not deal, relating solely to sanitary conditions. Its purpose is to prevent the improper location of cemeteries or crematories for human remains; to prevent the overcrowding of cemeteries, and to require the keeping of certain records. So far as relates specifically to any of these matters existing law is silent.

*Disposal of dead bodies.*—The proposed bill seeks to establish certain regulations in reference to the keeping of dead bodies prior to burial or cremation, so as to prevent nuisance therefrom, and, if amended as proposed, to prevent the embalming or destruction thereof except under certain conditions, so as to prevent the adoption of

such methods for the purpose of concealing crime—matters which are not now under any definite legal restrictions. It also elaborates somewhat in reference to interments and disinterments, supplying deficiencies in existing statutes.

The necessity for this law is manifest. The rapid growth of the suburbs renders imperative legislation to prevent the location of cemeteries in their midst, especially in view of the dependence of inhabitants of these suburbs on wells as sources of drinking water. So, also, in reference to determining the size of grave sites, depth of graves, number of interments, etc. An overcrowded cemetery is a nuisance and source of disease to the community, even when most favorably located, and should be prevented by law. When once established, as is quite possible under existing conditions, correction is difficult.

Some of the cemeteries in this District do not at present keep any record of interments or disinterments. Under such conditions it is impossible to recover bodies which have been buried, should it be necessary to do so for legal purposes or otherwise, and, if the proposed bill is passed, it will be impossible, without a provision for such a record, to compel a compliance with its provisions. Due provision is, therefore, made for the keeping of such records.

Those parts of the proposed law relating to the keeping of bodies prior to interment are necessary to prevent their retention in such manner and for such a length of time as not to endanger the health of the occupants of the houses in which they are kept, and to become a source of nuisance to the public; also so as to prevent the concealing of dead bodies, or their mutilation, for the purpose of concealing crime.

Crematories for human remains are not now regulated in any way, nor if the law be strictly interpreted are the cremated remains permitted to be disposed of except by burial. The proposed law makes due provision for such matters.

The passage of the bill referred to is earnestly recommended in the interest of public health and order.

Very respectfully,

WM. C. WOODWARD, M. D.,  
Health Officer.

THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

#### ACT AND REGULATIONS WITH REGARD TO VITAL STATISTICS.

AN ACT to further define and enlarge the powers and duties of the board of health of the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be the duty of the board of health of the District of Columbia to make and enforce regulations to secure a full and correct record of vital statistics, including the registration of deaths and the interment of the dead in said District.

Approved June 23, 1874.

In accordance with the foregoing act of Congress, and in pursuance of authority thereby conferred, the following regulations are made and promulgated for the information and guidance of all concerned:

*Regulations to secure a full and correct record of vital statistics, including the registration of marriages, births, and deaths, the interment, disinterment, and the removal of the dead in the District of Columbia.*

Third. That any physician, accoucheur, midwife, or other person in charge who shall attend, assist, or advise at the birth of any child within the District of Columbia, shall report to the registrar aforesaid, within six days thereafter, stating distinctly the date of birth, sex, and color of the child or children born, its or their physical condition, whether stillborn or not, the full name, nativity, and residence of the parents, and the maiden name of the mother of such child or children.

Fourth. That whenever any person shall die within the District of Columbia it shall be the duty of the physician attending such person during his or her last sickness, or the coroner of the District when the case comes under his official notice, to furnish and deliver to the undertaker, or other person superintending the burial of said deceased person, a certificate, duly signed, setting forth, as far as the same may be ascertained, the name, age, color, sex, nativity (giving State or country), occupation, whether married or single, duration of residence in the District of Columbia, cause, date, and place of death (giving street and number), and duration of last sickness of such deceased person. And it shall be the duty of the undertaker, or other person in charge of the burial of such deceased person, to state in said certificate the date and place of burial, and having signed the same to forward it to

the registrar aforesaid within twenty-four hours after such death: *Provided*, That in case of death from any infectious or contagious disease said certificate shall be so made and forwarded within eight hours thereafter.

Fifth. That no interment or disinterment of the dead body of any human being, or disposition thereof in any tomb, vault, or cemetery shall be made within the District of Columbia without a permit therefor, granted by the board of health of said District, nor otherwise than in accordance therewith. And no sexton or other person shall assist in or assent to, or allow any such interment or disinterment to be made until such permit shall be given, as aforesaid; and it shall be the duty of every sexton or other person having charge of any burying ground, cemetery, tomb, or vault, as aforesaid, who shall receive any such permit, to preserve and return the same to the registrar aforesaid before 6 o'clock p. m. of the Saturday following the day of burial; and no sexton, undertaker, or other person shall bury or cause to be buried the body of any deceased person within the District of Columbia except in such grounds as are now known and used as burial grounds or such as shall hereafter be by law designated and authorized to be used as such.

Sixth. That no dead body or part of the dead body of any human being shall be in any manner carried or conveyed from, in, to, or through the District of Columbia by any person or by means of any boat, vessel, car, stage, or other vehicle, or by any public or private conveyance without a permit therefor first granted by the board of health of said District; and when the remains of any deceased person are to be conveyed, transferred, or removed beyond the limits of the District of Columbia it shall be the duty of the person or agent or officer of the corporation having charge of the conveyance, transfer, or removal to detach, sign, and return the coupon attached to said permit to the registrar of vital statistics of the board of health aforesaid before 5 o'clock p. m. of the Saturday following the conveyance, transfer, or removal of said remains: *Provided*, That the same effect may be given by said board to a burial or transit permit issued by the proper authority of any other place or jurisdiction when the death of the person named in the permit shall have occurred within such place or jurisdiction.

Seventh. That whenever a permit for burial is applied for, in case of death without the attendance of a physician, or if it be impossible to obtain a physician's certificate, it shall be the duty of the health officer to investigate the cause and circumstances of such death, to make and sign the certificate required by section 4 of these regulations, and if not satisfied as to the cause and circumstances of such death he shall so report to the board of health, who shall refer the case to the coroner of the District for investigation and report, and said coroner is hereby required to make such investigation and report.

Eighth. That it shall be the duty of every physician, accoucheur, midwife, undertaker, sexton, or superintendent of any cemetery, or other person having charge of the same, practicing medicine or doing business within the District of Columbia, to register his or her name in a book or books to be provided for such purpose at the office of the board of health of said District, giving full name, residence, and place of business, and in case of removal from one place to another in said District, to make change in said register accordingly.

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